

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

|                                 |   |                                 |
|---------------------------------|---|---------------------------------|
| <b>UNITED STATES OF AMERICA</b> | ) |                                 |
|                                 | ) |                                 |
| <b>V.</b>                       | ) | <b>CR. No.: 1:05-mj-121-VPM</b> |
|                                 | ) |                                 |
| <b>JAMIE ALLEN HUTTO</b>        | ) |                                 |

**MOTION TO WITHDRAW AS COUNSEL**

**COMES NOW** the undersigned counsel, Kevin L. Butler, and files this Motion to Withdraw as Counsel of Record and for Appointment of a CJA Panel Attorney on behalf of Defendant Jamie Allen Hutto. In support of this Motion, counsel states the following:

1. On October 13, 2005, the Federal Defender Office was appointed to represent Jamie Allen Hutto with respect to the criminal charges he faces in the above-styled case. The case was then assigned to undersigned counsel, Kevin L. Butler.

2. During trial preparation, undersigned counsel discovered that a conflict exists between attorney and client which requires counsel to withdraw from further representation of Mr. Hutto. Specifically, a former client, John Strickland, is cooperating against Mr. Hutto.

3. Undersigned counsel requests that on behalf of Mr. Hutto CJA panel attorney Brent Dean be appointed to represent him in all further proceedings in this case. Mr. Hutto will not be prejudiced by such a change in counsel at this time.

WHEREFORE, undersigned counsel prays that the office of the Federal Defender be permitted to withdraw from the representation of Mr. Hutto and that Brent Dean be appointed to represent him.

Dated this 2<sup>nd</sup> day of November 2005.

Respectfully submitted,

s/ Kevin L. Butler  
KEVIN L. BUTLER  
First Assistant Federal Defender  
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Montgomery, Alabama 36104  
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**CERTIFICATE OF SERVICE**

I hereby certify that on November 2, 2005, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

A. Clark Morris, Esquire  
Assistant United States Attorney  
One Court Square, Suite 201  
Montgomery, Alabama 36104

Respectfully submitted,

s/ Kevin L. Butler  
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First Assistant Federal Defender  
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